



# BCI Firearms Section Newsletter

September 2002

## A Message from the Bureau

"Since the implementation of the Brady Bill, we have seen an increase in the number of guns sold during the last quarter of each year. To accommodate the increase, we have hired seasonal employees, provided additional fax machines and implemented the point of sale devices (POS). BCI is committed to making the background process as seamless as possible to both the dealer and buyer. If you feel there are other resources that would make the process better, please let me, or Joyce Carter know. "

-Nannette Rolfe  
Bureau Director

## New Contact Personnel

Because of the many responsibilities associated with the firearms section of BCI, Ed Bingham will now be acting as the first point of contact for the Brady section. Any questions or concerns should be directed to Ed at (801) 964-4407. Ed will work with Firearms supervisors and managers to resolve any problems.

Joyce Carter can still be contacted if Ed is unavailable or is unable to resolve your problem. Joyce can be reached at (801) 965-3810.

## State Laws

Be aware that it is the responsibility of the dealer to know and understand the laws regarding gun sales in every state (wait periods, out-of-state sales, etc.). This information can be found in your *ATF State Laws and Published Ordinances* under "Restricted Sales."

BCI performs background checks for gun sales assuming that the dealer has adhered to all regulations set forth by Utah as well as by the state in which the customer resides.

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## Authorized Requests

Recently we have had several dealers or dealer employees call to run background checks on themselves. This cannot be done. If a dealer or employee is purchasing a firearm, someone else must call in the transaction. We have also had dealers attempt to do background checks on potential employees by processing it as a weapons purchase. This is illegal and could result in a business losing transaction privileges. Dealers should advise employees to use the background check **ONLY** for weapons sales. For all other inquiries, ask a Brady operator to connect you with the appropriate department.

## Required Forms

The forms required for requesting a background check have been updated. Remember to fill out the forms completely before calling BCI for a background check.

Several dealers have asked which forms are required, where the forms are to be sent, and where to get new forms.

The Federal 4473 form must be completed for every firearm transfer prior to calling BCI. These forms must be obtained through the ATF.

The Utah State Form must also be completed prior to calling BCI. A copy of the Utah State Form is attached. This form can be obtained by calling BCI, or at <http://bci.utah.gov>. Dealers may make as many copies as necessary.

The 4473 form and the state form may be stapled together and kept for dealer records. Dealers are required to send a copy of the state form to BCI.

## Changes to the 4473 Form

In February, the ATF released an updated 4473 form. The main changes on this form are that the form now asks questions regarding country of citizenship and place of birth. The ATF requires that this updated form be used for a firearm transfer. If you are using an older form or have questions about which form you are using, contact BCI or call the ATF at (801) 524-7000.

Several dealers have commented that there is no space provided for the secondary ID information. This information can be put in the margin to the right of the primary ID.

## Types of ID Accepted

BCI will no longer be able to accept any type of identification that is expired, suspended, or "red-flagged." Previously we would take any ID issued by a governmental agency. Recently it came to our attention that an expired, suspended, or flagged driver's license is not considered valid by the ATF. BCI will let you know if there is a problem with the ID. ***If the ID is refused, this does not mean the transaction has been denied. You will not be billed for the transaction, and should not charge the customer.*** The customer must contact the Driver's

License Division to correct the problem.

The name and address on the customer's ID must be current. If the address has changed, they may write their new address on the reverse of their ID, but they must contact Driver's License to update the information on the computer. If the name on the customer's ID is not current, the ID is not considered valid, and therefore will be refused.

### **Denials**

Several customers have called to request information on appealing a denial; they have stated the dealer has not given them a copy of the denial appeal procedure. A copy of the procedure pamphlet is attached. Let us know if you need more forms. When a customer is denied, remember to put the transaction number on the appeal form, as it helps expedite the process for BCI and the customer.

Encourage your customers to follow the guidelines in the appeal procedure pamphlet, rather than calling BCI. Privacy laws prohibit BCI from disseminating any information over the phone. Any information requests must be made in person or in writing (notarized).

### **Research**

Several customers have called us concerning being put into research. Remind the customer that they are being researched and have not been denied. We can't tell the customer anything until the transaction is completed and has been approved or denied.

Our researchers attempt to complete research within three days, however they will continue to investigate the case until it is completed. There is no law outlining a time limit in which research is to be completed.

### **Busy Times & Down Times**

BCI has increased staffing in anticipation of hunting seasons and the holidays. Please have patience with the new operators (and the experienced ones). Remember there are over 800 FFL's in Utah and you are not the only one trying to get through on the phone lines. We will promise to move the phone calls through as quickly as possible, however sometimes we run into a particular check which must take more time.

The BCI computers have been updated and we have not had problems with the state system for quite some time. Occasionally the NICS system will go down. There is nothing we can do at the Bureau to fix the Federal computers, and we aren't given an estimate of when the computers will be back online.

To reduce waiting times and computer congestion, do not send automated checks through the system when the computers are down. Send your request via fax and we will reply as soon as the computers are back online.

### **Automated Check Systems**

BCI has installed 10 sites for testing the automated background check system:

1. VanWagenen's, Orem
2. Sports Warehouse, Midvale
3. Sports Warehouse, Riverdale
4. Sports Warehouse, Provo
5. Gallensons, Salt Lake City
6. Smith & Edwards, Ogden
7. Doug's, Salt Lake City
8. Gunnies, Orem
9. Gift House, Ogden
10. Oquirrh Traders, Tooele

This new system will allow background checks to be processed 24 hours a day, 7 days a week. There have been more than 1,200 checks run through the point of sale devices so far.

The equipment can be leased for \$30.00 per month, which will be billed monthly. Leased equipment will have a full warranty from Automated Licensing Systems. A dealer may cancel service with Automated Licensing at any time. Dealers will be required to provide a phone line, however the line may be used for phone, fax or the automated system.

If you are interested in receiving more information regarding this new system, contact BCI. The fee for the buyer will remain \$7.50.

**Remember that any duplicate checks will be billed individually.** If there is an unusual delay, contact BCI to check the status of the request.

### Accounting

In order for us to process your payments more efficiently, remember to include your FFL# on your check, and make payment in full by the end of each month. Any account that is

not paid in full will be suspended until the balance is paid. To prevent your account from being suspended, notify BCI immediately of any address change. If there are any questions on your invoice, contact BCI that month to resolve the issue.

When sending a fax or an automated check request, send only **one** transaction. The Brady operators work as fast as possible to complete and return the check. If there is an unusual delay, call to check the status of the request. Any duplicate checks will be billed individually.

### Accounting Contact Information:

Kathy Facer  
(801) 965-4795  
kfacer@utah.gov

### Concealed Permits

Be aware that a Concealed Firearm Permit is considered a primary identification type. **When a customer has a concealed permit, tell the Brady operator first thing!!!** A different system is used to check the validity of the permit, and informing the Brady operator first thing will prevent accidental billing.

Out-of-state permits are not acceptable as primary identification. BCI does not have access to permit databases in other states, and we have no way to check a permit's validity. An out-of-state permit may be used as secondary identification when the customer presents a valid primary identification with a matching address.

## Instructors

If you are an instructor and have not yet sent BCI an updated copy of your course outline, please get it in as soon as possible. We are

in the process of updating all instructor information. In order to remain on the instructor list we must have a current copy of your training agenda.

## 2<sup>nd</sup> Quarter Statistics

### Monthly Totals:

Month	Total	Denials	Denial Reason				Denial %
			Warrant	Record	DV	PO	
Jun	3908	98	24	51	15	8	2.50%
May	4557	81	19	23	19	17	1.70%
April	4625	117	31	42	22	22	2.50%
March	5186	125	39	42	25	19	2.40%
February	4738	145	42	53	27	23	3.10%
January	4697	118	30	49	20	19	2.50%

### Transfers by County:

County	Requests	Percent	County	Requests	Percent
Beaver	124	0.90%	Piute	0	0
Box Elder	75	0.60%	Rich	0	0
Cache	598	4.60%	Salt Lake	4709	36%
Carbon	159	1.20%	San Juan	5	0.03%
Daggett	0	0	Sanpete	88	0.70%
Davis	377	2.90%	Sevier	231	1.80%
Duchesne	40	0.30%	Summit	32	0.20%
Emery	48	0.40%	Toole	302	2.30%
Garfield	9	0.06%	Uintah	608	4.60%
Grand	72	0.50%	Utah	2079	15.90%
Iron	373	2.80%	Wasatch	3	0.02%
Juab	27	0.20%	Washington	902	6.90%
Kane	50	0.40%	Wayne	3	0.02%
Millard	165	1.30%	Weber	1999	15.30%
Morgan	24	0.20%	Total	13090	

### Concealed Permit Distribution by County:

Counties	Permits	Counties	Permits	Counties	Permits	Counties	Permits
Beaver	138	Garfield	195	Rich	24	Utah	6300
Box Elder	721	Grand	286	Salt Lake	16416	Wasatch	364
Cache	952	Iron	833	San Juan	216	Washington	1746
Carbon	830	Juab	165	Sanpete	418	Wayne	65
Daggett	28	Kane	155	Sevier	463	Weber	3731
Davis	4624	Millard	242	Summit	553	Total	48674
Duchesne	278	Morgan	170	Toole	881		
Emery	398	Piute	48	Uintah	517		

**Revocations:**

<b>Reason</b>	<b>April</b>	<b>May</b>	<b>June</b>
<b>Alcohol Violation</b>	8	4	2
<b>Protective Order</b>	3	1	1
<b>Wanted Person</b>	2	0	0
<b>Firearm Offense</b>	1	0	0
<b>Threat to Self/Others</b>	1	1	1
<b>Domestic Violence</b>	2	2	0
<b>Moral Turpitude</b>	4	0	2
<b>Controlled Substance</b>	1	1	0
<b>Felony</b>	1	1	3
<b>Total</b>	26	10	9